

Appl. No. 09/965,893
Amdt. dated November 29, 2005
Reply to final Office action of September 7, 2005

REMARKS/ARGUMENTS

Applicants have received the final Office action dated September 7, 2005, in which the Examiner: 1) rejected claims 1-3, 7-9, 12-15, 17-18, 22-25, 27-28 and 32-34 under 35 U.S.C. § 102(e) as allegedly anticipated by Ip (U.S. Pub. No. 2003/0046339); and 2) rejected claims 4-6, 10-11, 16, 19-21, 26, 29-31 and 35 under 35 U.S.C. § 103(a) as allegedly unpatentable over Ip in view of Smith (U.S. Pat. No. 6,792,515).

Also in the final Office action of September 7, 2005, the Examiner asserted that Applicants' 37 C.F.R. 1.131 Declaration, filed on June 24, 2005, in response to the Office action of March 28, 2005, was ineffective to overcome the Ip reference. Although Applicants disagree with the Examiner, in the interest of compact prosecution, Applicants address the merits of the Examiner's rejection with this Response.

With this Response, each of the independent claims 1, 8, 12, 17, 22, 27 and 32 is amended to clarify the location(s) of one or more components recited in the claim. Dependent claims 4, 10, 11 and 35 are amended to maintain terminology consistent with that of the corresponding independent claims. Claim 1 is further amended to correct a typographical error. Based on the amendments and arguments presented herein, Applicants respectfully submit that claims 1-35 are in condition for allowance.

As amended, claim 1 is directed to a computer server rack comprising "a plurality of modular server chassis configured to hold a plurality of computer servers." Each of the chassis comprises "a chassis controller having a processor and a memory." Ip does not teach or even suggest this limitation. Referring to Figure 1 of Ip, there is shown a plurality of racks 10 (e.g., rack 10a, 10b, 10c). Each of the racks comprises a plurality of "slots" 35, and each slot 35 contains a server 15 (paragraph [0020]). Inasmuch as a slot 35 may be considered analogous to a chassis required by claim 1, none of the slots 35 comprise "a chassis controller having a processor and a memory," as required by claim 1.

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In the Office action, the Examiner construes the chassis of claim 1 to be analogous to the racks 10 and the chassis controllers to be analogous to the data collection units 30. Examiner then asserts that paragraphs [0022] and [0024] of Ip teach that "the chassis controllers transmit and receive a server rack name on the internal communications bus," as required by claim 1. Applicants respectfully disagree with these comparisons and point out that the racks 10 cannot be construed as both chassis and as racks. Specifically, if one of the racks 10 is construed as the server rack of claim 1, then Ip does not teach or suggest "each chassis comprising a chassis controller having a processor and a memory," as required by claim 1. Conversely, if one of the racks 10 is construed as a chassis of claim 1, then Ip does not teach or suggest a rack at all, and thus does not teach or suggest that the "chassis controllers transmit and receive a server rack name on the internal communications bus," as required by claim 1.

Moreover, because Ip does not teach or suggest a computer server rack comprising "a plurality of modular server chassis ... each chassis comprising a chassis controller," it follows that Ip does not teach or suggest "an internal communications bus coupling each of the chassis controllers." Likewise, it follows that Ip does not teach or suggest that "the chassis controllers transmit and receive a server rack name on the internal communications bus," nor does Ip teach or suggest that "the name of the rack is stored in the memory in each chassis controller." At least for the reasons presented above, independent claim 1 and dependent claims 2-7 are in condition for allowance.

Arguments similar to those above also apply to amended, independent claims 8, 12, 17, 22, 27, 32 and all claims depending on these independent claims. At least for these reasons, claims 1-35 are in condition for allowance.

As noted above, Examiner rejects claims 4-6, 10-11, 16, 19-21, 26, 29-31 and 35 under 35 U.S.C. § 103(a) as allegedly unpatentable over Ip in view of Smith. However, because claims 1-35 are patentable over Ip, and further because Smith does not satisfy the deficiencies of Ip set forth above, claims 4-6,

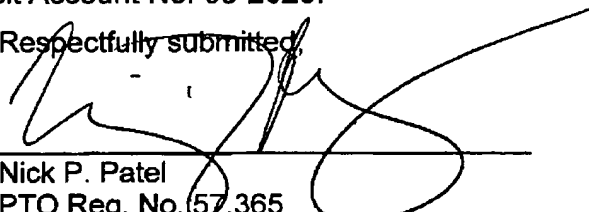
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10-11, 16, 19-21, 26, 29-31 and 35 rejected under 35 U.S.C. 103(a) are patentable over the combination of Ip and Smith.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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